IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CG)

WRIT PETITION NO. 2714 OF 2004

BETWEEN

Badri Prasad Gabel S/o Shri Sunder Lal, aged about 53 years, Occupation Service , Head Master, posted at Middle School Turekela, Block Division Kharsiya, R/o Tewar, Tehsil Kharsiya, District Raigarh (CG).

PETITIONER

P. R. No. 29 Sl. lay
Presented by Shri Aman Ho. Advocate
dated 19.8.04

A N D

1. The State of Chhattisgarh, through the Secretary Department of Scheduled Caste/Scheduled Tribe Development, Mantralay, D.K.S. Building, Raipur (CG).

2. The Assistant Commissioner, Tribal Development Branch, Raigarh (CG).

3. The Collector, Raigarh, Tehsil and District Raigarh (CG).

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(24)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 2714/2004

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

26-8-2004

On a mention being made, this case is taken up.

Petitioner/s by Shrimati Indira Tripathi, Advocate.

State by Shri V.V.S. Murthy, Dy. Advocate General, with Shri Satish Gupta, Dy.G.A., and Shri Akhil Agrawal and Shri Sandeep Dubey, Panel Lawyers.

Heard.

The matter relates to transfer of the petitioner from the respective place.

Counsel for the petitioner/s submitted that the transfer of the petitioner/s has been effected illegally in contravention of law and policy. State counsel opposed it.

State counsel submitted that the petitioner/s has straightway filed the petition without serving notice for demand of justice and representation.

Having heard and considered the rival contentions, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner/s to make detailed representation raising his/her grievances and grounds before the State Government/competent authority of the respondents along with a copy of the petition and this order, within 10 days, and on such representation being filed, the State Government/competent authority of the respondents, under the law, shall consider and decide the same on its own merits in accordance with law as early as possible preferably within six weeks from the date of receipt/production of the representation. If any contravention of policy or guidelines is brought to the notice, the same be considered on its own merits.

Counsel for the petitioner/s prays that after the decision of the representation if any grievance of the petitioner/s remains, he/she may be allowed to avail the remedy available under the law. It is open to the petitioner to avail the remedy available under the law.

With the aforesaid observations, this petition stands disposed of.

Consequently M.W.P., if any, also stands disposed of.

Certified copy as per rules.

Copy to State counsel for compliance.

Sd/-
Fakhruddin
Judge

H/-